



## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: 10/6/04 Name: Anthony P. Curtis, Ph.D., 46,193 Signature: [Signature]

BRINKS  
HOFFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Sadahazu Shiga

Appln. No.: 09/760,399

Filed: January 12, 2001

For: Computer Power Supply Startup Apparatus

Attorney Docket No: 9281/3876

Examiner: Thuan Du

Art Unit: 2166

Mail Stop Patent Ext.  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Transmittal Cover Letter (1p. Filed i Dup.); Request for Reconsideration of the Patent Term Adjustment (3pp.)  
☒ Return Receipt Postcard

## Fee calculation:

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

## Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

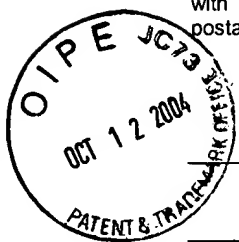
10/6/04

[Signature]  
Anthony P. Curtis, Ph.D. (Reg. No. 46,193)

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10/6/04  
Date of Deposit

Anthony P. Curtis, Reg. No. 46,193

Name of applicant, assignee or  
Registered Representative

*[Signature]*  
Signature  
10/6/04

Date of Signature

Our Case No. 9281-3876

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Sadahazu Shiga

Serial No.: 09/760,399

Filing Date: January 12, 2001

For Computer Power Supply Startup  
Apparatus

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) Examiner: Thuan Du  
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) Group Art Unit No.: 2116  
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**REQUEST FOR RECONSIDERATION OF THE PATENT TERM ADJUSTMENT  
UNDER 37 C.F.R. § 1.705(d)**

Mail Stop Patent Ext  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A Notice of Allowance for U.S. Patent Application No. 09/760,399 was mailed on July 27, 2004 with a patent term adjustment under 35 U.S.C. § 154(b), as of that date, of 655 days. For the reasons stated herein, reconsideration of this patent term adjustment is respectfully requested.

## REMARKS

U.S. Patent Application No. 09/760,399 issued with a published term adjustment under 35 U.S.C. § 154(b) of 655 days. U.S. Patent Application No. 09/760,399 is not subject to a terminal disclaimer.

### Period of adjustment under 37 C.F.R. § 1.703(a)

Applicants agree with the PTO calculation of the period of adjustment under 37 C.F.R. § 1.703(a)(1) of 655 days.

### Period of adjustment under 37 C.F.R. § 1.703(b)

The period of adjustment under 37 C.F.R. § 1.703(b) is the number of days in the period beginning on the day ("the 3 year date") after the date that is three years after the date on which the application was filed under 35 U.S.C. § 111(a).

The present application was filed on January 12, 2001. The 3 year date specified in 37 C.F.R. § 1.703(b) is January 12, 2004. The patent is expected to issue 28 weeks after the Notice of Allowance date of July 27, 2004 (197 days after the 3 year date), which is February 8, 2005 (196 days). The difference between the 3 year date and the projected issue date is 393 days.

### Reduction in period of adjustment under 37 C.F.R. § 1.704(b)

Applicants agree with the PTO calculation of the reduction in period of adjustment under 37 C.F.R. § 1.704(b) of 0 day.

### Total patent term adjustment

For the present application, the total patent term adjustment under 37 C.F.R. § 1.703(f) is the period of adjustment under 37 C.F.R. § 1.703 reduced by the reduction under 37 C.F.R. § 1.704. The total adjustment is thus 655 days + 197 days (3 years from application date to date of mailing of Notice of Allowance) - 0 days = 852 days + date from mailing of Notice of Allowance to date of issuance, which is projected

presently to be 196 days = 1048 days. Applicants will submit a renewed petition when the issue date is determined by the PTO.

Applicant respectfully requests reconsideration of the patent term adjustment for this application. Office personnel are invited to contact the undersigned for Applicant via telephone if such communication would expedite this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Anthony P. Curtis', written over a horizontal line.

Anthony P. Curtis, Ph.D.  
Registration No. 46,193  
Attorney for Applicant

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